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CONTINENTAL D.I.A. DIAMOND PRODUCTS, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CONTINENTAL D.I.A. DIAMOND
PRODUCTS, INC., a California corporation,

Case No. CV 08-2136 SI

**STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME FOR PLAINTIFF
CONTINENTAL D.I.A. DIAMOND
PRODUCTS, INC. TO RESPOND TO
DEFENDANTS' COUNTERCLAIMS**

DONG YOUNG DIAMOND INDUSTRIAL
CO., LTD., a South Korean company,
DONGSOO LEE, an individual, and DOES 1-
10, inclusive.

Judge: Honorable Susan Illston

Complaint Filed: April 24, 2008
Trial Date: None Set

Defendants.

STIPULATION

WHEREAS, on April 24, 2008, Plaintiff CONTINENTAL D.I.A. DIAMOND PRODUCTS, INC. ("Continental") filed suit for trademark infringement, unfair competition and related claims against, Defendant DONG YOUNG DIAMOND INDUSTRIAL CO., LTD. ("Dong Young"), and DONGSOO LEE ("Lee") (collectively "Defendants").

WHEREAS on June 26, 2008, Defendants filed an Answer, Affirmative Defenses, and Counterclaims, Docket No. 18 (“Counterclaims”).

WHEREAS, Continental's response to the Counterclaims is currently due on July 16, 2008.

1 WHEREAS given that the Counterclaims raise (14) fourteen causes of action, and
2 Continental's principal has been traveling, Continental has requested an extension of time to
3 respond;

4 WHEREAS, this is the first extension sought in relation to the Counterclaims, this extension
5 is not for the purpose of delay, and the parties believe that this extension of time will not affect any
6 dates that have been set by the Court.

7 ACCORDINGLY, the parties, by and through their undersigned counsel, HEREBY
8 STIPULATE that Continental's response to the Counterclaims filed by Defendants, which was
9 originally due on July 16, 2008, may be filed and served up to and including July 23, 2008.

10 Dated: July 9, 2008 MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.

11 /s/ Karineh Khachatourian
12 By: KARINEH KHACHATOURIAN

13 Attorneys for Plaintiff/Counterclaim Defendant,
14 Continental D.I.A. Diamond Products, Inc.

15 Dated: July 9, 2008 PRETI FLAHERTY BELIVEAU & PACHIOS, LLP

16 /s/ Alfred C. Frawley
17 By: ALFRED C. FRAWLEY

18 Attorneys for Defendant/Counterclaim Plaintiff,
19 Dong Young Diamond Industrial Co., Ltd., and Dongsoo Lee

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21 Dated: July ___, 2008

22 THE HONORABLE SUSAN ILLSTON
23 UNITED STATES DISTRICT COURT JUDGE